

## **VILLAGE PLAN ALTERNATIVE SUBDIVISION OVERLAY DISTRICT**

### **I. Statutory Authorization**

#### **A. NH RSA Title LXIV, Chapters 674:16, Grant of Power**

#### **B. NH RSA 674:21, Innovative Land Use Controls**

#### **C. NH RSA 674:21(n) and 674:21 VI (a) Village Plan Alternative Subdivision**

1. **Definition:** an optional land use control and subdivision regulation to provide a means of promoting a more compact, efficient and cost effective method of land development.

2. **Purpose:**

- a) To create an expanded village area that provides a mix of uses, including residential, commercial, civic, and recreational uses in close proximity to one another.
- b) To permit the compact, efficient layout and lower maintenance costs of roads, utilities, and other public and private infrastructures, and the reduction of traffic congestion and air pollution for any potential expansion of the village area.
- c) To encourage the preservation of open space and environmental resources wherever possible.
- d) To provide a mix of housing styles, types and sizes, to accommodate households of all ages, sizes, and incomes.
- e) To provide owners of private property with a method for realizing the inherent development value of their real property in a manner conducive to the creation of substantial benefit to the environment and to the Town's property tax base.

3. **Requirements:**

- a) The entire density permitted by existing land use regulations must be located in a contiguous 20 percent or less of the entire parcel available for development.
- b) The property owner must provide a recorded easement reserving the remaining land area of the entire, original lot solely for agriculture, forestry, conservation or for public recreation, including parks and public gathering places.
- c) Public recreational uses shall be subject to the written approval of those abutters whose property lies within the village plan alternative subdivision portion of the project at the time when the public use is proposed.

4. **Summary of Review Procedures.**

- a) Village plan alternative shall permit the developer to have an expedited subdivision application and approval process wherever land use and subdivision regulations apply: the time period from acceptance by the Planning Board to approval or denial of the plan shall be 45 days.
- b) Submission and approval procedure for a village plan alternative subdivision shall otherwise be the same as that for a conventional subdivision.

5. **Summary of Significant Zoning and Subdivision Regulations Features**

- a) Emergency access, fire prevention, and setbacks for wells, septic, or wetlands requirements imposed by DES shall apply.

- b) Lot size regulations, dimensional requirements for frontage and setbacks from all property lines, and lot size regulations, as well as density regulations, **shall NOT apply**. Total density can exceed total potential development for entire original lot based on the following:

1 unit per 6,000 sq. ft. lot area if the development utilizes a shared or community septic system located off site  
Or;  
1 unit per 10,000 sq. ft. lot area if the development utilizes a(n) state of the art or innovative septic system located on site, subject to DES approval.

## II. PURPOSES AND APPLICABILITY

### A. General Purposes

1. To create or expand an existing physical settlement that provides a mix of uses, including residential, commercial, civic, and open space uses in close proximity to one another within a neighborhood and/or an existing village;
2. To promote traditional village building and site development patterns with an interconnected pattern of streets, alleys, and lanes, which provides for safe and efficient vehicular travel at a scale consistent with the small, rural village setting, and which provides for the connection of those streets to existing and future developments;
3. To protect environmental resources and to preserve scenic vistas, agricultural areas, and unique natural features of the landscape;
4. To provide for pedestrian and bicycle travel throughout the development through the creation of sidewalks, paths, and bicycle paths;
5. To promote the use of neighborhood greens, pocket parks, landscaped streets, and access to greenspace to provide space for recreation and social activity, and to provide visual enjoyment;
6. To preserve and enhance the rural, small town character of New Hampshire towns through architectural design that replicates in scale and character the best examples of traditional neighborhood design from the historic towns and villages of New Hampshire and to create and clearly delineate public and private spaces to enhance the quality of life and aesthetic quality of both the residents of the development and the town as a whole;
7. To provide a mix of housing styles, types, and sizes, to accommodate households of all ages, sizes, and incomes;
8. To provide buildings for civic assembly and neighborhood activities that promote the development of social networks and community and provide a visual focal point for the village subdivision;
9. To provide expedited review to site plans that choose to use the village plan alternative in order to encourage appropriate use and appropriate growth consistent with state law; and
10. To promote the management of growth and the implementation of innovative land use controls consistent with NH RSA 674 in order to protect environmental resources, control sprawl, reduce traffic congestion, expand village areas in orderly fashion, promote appropriate housing, and enhance the sense of community of new developments and redeveloped areas.

**B. Applicability.** The standards in this section are applicable within the areas zoned for the Village Plan Alternative Subdivision and are defined as those areas whose location and boundaries have been selected to be consistent with policies in the master plan, including the Village Vision Report, an appendix of said master plan, encouraging compact mixed-use development in areas where village or compact nodal expansion would be appropriate for the reasons detailed in that plan.

**1. Size and Location.** The Village Plan Alternative subdivision ordinance (VPA) is designed to apply to new development of ten acres or more including:

- a) Areas contiguous to the Village Zone C and Mixed Use Commercial Zones, as identified on the Official Zoning Map of the Town of Moultonborough as an Overlay Zone. (*Note: It is the intent that nodes such as the West Village, Green's Corner, and Red Hill area be zoned as mixed use commercial districts.*)
- b) Areas contiguous to existing cluster subdivisions with the intent of connecting contiguous conservation lands, greenways, or unfragmented forest areas.

**2. Health, safety and welfare factors and consistency with the master plan.** The planning board shall determine whether the development is appropriate for the area by considering the following additional factors:

- a) Pre-existing development near the proposed site.
- b) Natural resources that may be detrimentally impacted by the development as identified in the Town's Natural Resource Inventory, latest revision.
- c) Consistency of the development with the Town's master plan and the Village Vision Report.
- d) Any other relevant factors to protect the health, safety, and welfare of town residents. Emergency access, fire prevention, and setbacks for wells, septic, or wetlands requirements imposed by DES shall apply, as shall local health and safety restrictions.

**B. Conditional Use Permit.** This ordinance is adopted pursuant to 674:21, allowing the administration of the ordinance by Conditional Use Permit. Compliance with the individual provisions of this ordinance shall constitute the conditions required for the issuance of a Conditional Use Permit. Any provision of this ordinance may be waived, when, upon application by the applicant to the planning board, the board shall determine in its sole discretion 1) that requiring compliance with the particular provision for the granting of a Conditional Use Permit would create an unreasonable hardship and 2) that the application would be consistent with the spirit and intent of this ordinance.

Provisions included as mandatory for a Village Plan Alternative Subdivision by RSA 674:21 shall not be waivable as such would be contrary to state law. Requests for waivers must be written and the planning board must vote on each waiver request at a properly noticed public hearing.

**C. Appeals.** Any person with standing, aggrieved by a planning board decision that constitutes a denial of a Conditional Use Permit due to noncompliance with one or more of the waivable provisions of this ordinance may appeal that decision to the Superior Court, as provided for in RSA 677:15. A planning board decision on the issuance of a Conditional Use Permit cannot be appealed to the zoning board of adjustment (RSA 676:5, III).

### III. USES AND USE AREAS

#### A. General

**1. Use Areas.** VPAs are intended to provide for a range of complementary uses that facilitate daily activities and enhance the quality of life for residents. A VPA shall consist of three areas: Village Residential Areas, Village Conservancy Areas and Small-scale Retail Areas.

- a) **Village Residential Areas** provide locations for a broad range of housing types, including single-family detached, semi-detached, and attached, and may also include accessory dwelling units.
- b) **Small-Scale Retail Areas** are intended primarily to provide uses that meet the retail and service needs of a traditional community center and its vicinity, and may contain other compatible uses, such as civic and institutional uses of community importance, including second-story residential uses. The scale of retail uses intended for these areas is small, and would include small stores and businesses, banks, daycare facilities, doctor's offices, small groceries, libraries, galleries, cafes and other small commercial, institutional and retail uses typically found in small New Hampshire towns. Consideration should be given to the compatibility of the retail and commercial areas to the residential areas within the development. The small-scale retail area shall not be used for industrial uses, large-scale retail or commercial buildings, or storage, unless such use is completely architecturally integrated into the overall development, and in no case shall any industrial uses other than light industrial or technology uses be permitted.
- c) **Village Conservancy Areas** are permanently protected open spaces, including greens, commons, and private non-common acreage within larger estates, country properties, or other parcels used for agriculture, forestry and conservation or for public recreation.

**2. Residential/nonresidential phasing.** In approving a conditional use application for an expanded or new village with or without mixed uses according to the standards for conditional uses listed in the zoning ordinance, the planning board shall ensure by approval of a condition, phasing schedule, or other measure, that the nonresidential portions of the development are occupied only in accordance with a schedule that relates occupancy of such nonresidential portions of the village to the completion of a specified percentage or specified number of phases or sections of the residential portions. The purpose of this phasing section is to provide a mechanism to ensure appropriate residential to nonresidential density proportions.

**B. Uses Permitted in the Village Residential and Small-Scale Retail Areas**

- 1. Single family detached dwellings.
- 2. Open space land permanently protected through conservation easements.
- 3. Municipal or public uses, such as public parks and recreation areas, or government or public utility buildings, except for storage of materials, trucking or repair facilities, or private or municipal sanitary landfills.
- 4. The planning board reserves the right to determine whether any use is expressly allowed or prohibited in this ordinance. All uses shall be governed by any applicable standards in any other applicable state or local law or regulation that would restrict uses based on environmental concerns.
- 5. Where two provisions conflict, the stricter provision shall apply.

**C. Conditional Uses.** The following uses are classified as conditional uses and shall adhere to the dimensional standards and design standards in the following sections of this ordinance. The purpose of this section is to

enable the planning board to ensure that the overall design of the development is compatible with the town's existing land use, future plans for land use, and the needs of the community.

### 1. Village Residential Area Conditional Uses

- a) Two-family and multi-family dwellings designed according to the standards in this ordinance.
- b) Architecturally integrated accessory dwelling units, home occupations and other uses related to residential uses.

### 2. Small-Scale Retail Area Conditional Uses

- a) Retail uses, professional offices, and personal or professional services in one-story buildings of 2,500 square feet or less, and up to 5,000 square feet when in buildings of two stories. Buildings in this type of area may contain other compatible uses, such as civic and institutional uses of community importance, specifically including second-floor residential uses. The maximum building footprint for any group of buildings owned or operated by the same entity shall be 9,000 feet.
- b) Bed and breakfast establishments or inns.
- c) Schools, day care centers, libraries, and houses of worship.
- d) Two or three family dwellings designed in accordance with the provisions of this ordinance.
- e) Residential units shall be located on the second-story, to the extent that shared on-site or off-site parking can be provided.
- f) Live/work uses for artisans, professionals, and service providers such as studios or small shops.

## IV.DIMENSIONAL STANDARDS AND DENSITY DETERMINATIONS

A. **Overall Village Size.** Village Plan Alternative subdivisions shall range in size from 5 units to 50 units. The purpose of this restriction is to provide enough units in a development to support the accompanying small-scale retail and to allow the town to better plan for and provide the increase in local services that accompanies the cyclical seasonal population increase that is unique to the Town.

B. **Density Determination.** The entire density permitted by this article and the underlying zoning ordinance requirements must be located in 20 percent or less of the entire parcel available for development. Village Plan average density shall vary depending on soil and slope conditions, suitability of on and off-site locations for septic systems and community water systems, wetlands, and other features of the land. In no case shall the average density be lower than that of a conventional subdivision.

### C. Density Bonuses

- 1. A density bonus of one unit per acre (in addition to the number of units allowed by I. C. 5) shall be granted where applicants can demonstrate that the use of a shared or community septic system or a NH DES approved innovative septic design would be appropriate for the development.
- 2. A density bonus of one unit per acre shall be granted where applicants provide for full public access to community amenities, such as trails, ball fields, or playgrounds.

3. A density bonus of one unit per acre shall be granted where applicants provide affordable, senior or workforce housing.
4. Density bonuses may only be used within the Village Residential Area.

**D. Dimensional Standards for Village Residential Area**

1. **Dimensional Requirements.** Conventional lot size regulations, dimensional requirements for frontage and setbacks from all property lines, and lot size regulations, as well as density regulations, shall NOT apply. This ordinance establishes its own minimum and maximum dimensional requirements. In no case can lesser density requirements be imposed for a Village Plan Alternative Subdivision.

2. **Minimum lot area.** Where septic systems and water supply are located offsite, the minimum lot size shall be 6,000 square feet. Where both septic and water are located on-site, or where septic is located on site, and water is located off site, the minimum lot size will depend on compliance with the provisions found in the DES publication “Subdivision and Individual Sewage Disposal System Design Rules, Chapter Env-Ws 1000, August 1999, ” and subsequent amendments or updates, and in no case shall be less than 10,000 square feet. DES-approved innovative septic designs utilizing a smaller land area to provide for VPA development may be utilized.

a) For the Village Residential Areas, applicants should refer to the following:

1. All lots comply with the New Hampshire Department of Environmental Services requirements for subsurface wastewater management (developments may utilize individual or community (shared) wells and/or septic systems); and
2. The goals and design specifications of this section are otherwise achieved.

b) Applicants should consult with the Department of Environmental Services during the design phase of the development to determine appropriate lot sizes and septic/water system design.

3. **Minimum street frontage.**

- a) Lots must have a minimum of 40 feet of frontage either on a street or accessway or shared driveway. Lots should have a maximum frontage of 100 feet.
- b) Houses served by rear lanes may front directly onto parks or greens, which shall have perimeter sidewalks or pathways.

4. **Flag (shaped) lots.**

- a) Flag (shaped) lots must possess at least 30 feet of frontage on a street.
- b) No more than two contiguous flag (shaped) lots shall be created.
- c) Flag (shaped) lots shall not comprise more than five percent of all lots within a village.
- d) The “pole” end of such lots shall not be longer than 200 feet.

5. **Minimum and Maximum Standards.** Variations in the principle building position and orientation are allowed, but the following minimum and maximum standards shall be observed:

- a) **Front yard.** Principle buildings: 12 feet minimum depth, 5 feet to front porches or steps, and 20 feet maximum.

- i. Attached garages (front loaded) must be flush with or set back from the front wall or façade of the principle building. Attached garages (side loaded) must be flush with or set back from the front wall or façade of the building and must be architecturally integrated with the principle building.
- ii. Detached garages must be flush with or set back from the front wall or façade of the principle building. Detached garages located behind principle structures are encouraged.
- iii. No more than two garage doors facing a street may be located in a row, and such rows of garage doors must be separated from any other garage door facing a street by at least ten feet.

b) **Rear yard.** Principle buildings: 30 feet minimum depth. Rear loaded garages: minimum 20 feet from paved edge of alley or lane, and 9 feet to the alley right-of-way.

c) **Side yard.** Principle buildings: 20-foot separation between principle buildings on adjacent lots.

6. **Building-to-Building minimum and maximum distance.** Houses on opposite sides of the street shall be located between 70 and 100 feet across from each other, and except when buildings face onto greens, commons, or other open space.

7. **Maximum and minimum height.** Buildings shall be of at least one-and-one-half story construction, but no more than two-and-a-half stories. Church steeples or buildings containing historic architectural features such as cupolas may be higher than three stories if the height of the building is consistent with the overall design of the development and the adjacent existing village.

#### **E. Dimensional Standards for Small-Scale Retail Area**

1. **General.** Small-scale retail areas may take a variety of forms that include rehabilitation of existing buildings, consistent design additions to same, or mixed-use developments that combine residences and businesses.

2. **Minimum Frontage.** Lots shall have a minimum of 20 feet of frontage on a street to provide access. The minimum lot width at the building line shall be 40 feet.

3. **Setbacks, minimum and maximum.** There is no required minimum front setback. The maximum front setback shall be 10 feet.

4. **Building-to-Building Distance.** Commercial buildings on opposite sides of new streets shall be located between 50 and 75 feet across from each other, except where buildings face onto public greens.

5. **Building Height.** Buildings shall be between one-and-a-half and two-and-a-half stories above grade, except for architectural embellishments such as church steeples, cupolas or clock towers may be higher than three stories if the height of the building is consistent with the overall design of the development and the adjacent existing village.

#### **V. OPEN SPACE REQUIREMENTS**

A. For open space and recreational requirements, the entire density permitted by existing land use regulations must be located in 20 percent or less of the entire parcel available for development. Remaining land shall be

reserved through a recorded easement solely for one or more of the following: conservation, agriculture, forestry, or public recreation.

B. Land area reserved as protected open space should represent the area of the site that is most valuable in terms of open space features, such as (but not limited to) providing scenic views or having other aesthetic qualities, containing significant wildlife habitat or rare or outstanding landscape features, containing high-productivity agricultural soils or forest soils, or providing high-quality community recreation opportunities (e.g., includes a portion of an existing trail network).

C. All developments shall provide at least one outdoor play area that is designed to be pedestrian accessible as well as buffered from vehicular traffic by fencing or suitable landscaping. The area must be shown in the plan set and include plans for grading, drainage, and maintenance.

D. Snowmobiling or ATV use may be permitted only on designated separate trails with appropriate signage, mitigation efforts to control erosion, designated hours of use, noise control measures, and measures to ensure safety of pedestrians.

E. The deed and related documents for the property must clearly state the conveyance of a conservation easement for the open space land to the town, land trust, or other appropriate entity reserving the conserved open space land area solely for agriculture, forestry, and conservation, or for public recreation. Covenants that run with the land as well as appropriate documents and bylaws that explain the maintenance and use of the open space shall be established if the open space lands are to be retained in ownership by a homeowner's association or private individual.

F. The open space must be accessible by walking trails. If public access is provided to these trails, a dedicated parking area shall be provided near an access point.

## **VI. SEPTIC SYSTEMS**

A. Where public sewer is unavailable, applicants may choose to use conventional, individual septic systems, a community septic system, a community leach field, an innovative septic system or any combination thereof, subject to DES approval.

B. Applicants will consult with the town's engineer in proposing the plan for the septic system of the development. Where developments are adjacent to village centers or other areas in which eventual sewer construction is foreseen, applicants must install capped sewer connections and related infrastructure so that the development can be connected to the sewer utility or community system in future years.

C. Applicants must specify measures for the management of community systems as well as the schedule and methods for regular maintenance of such systems. Applicants must provide appropriate deed language for access easements for maintenance of these systems. Town Counsel shall review all submitted documents for management, ownership and access and report to the Planning Board on the correctness of submitted documents.

## **VII. DESIGN STANDARDS FOR ALL AREAS**

### **A. Waivers of Design Standards**

1. **Requirements.** The following design elements may be waived in whole or in part by the Board for written, justified cause provided by the applicant as part of the application. The Board shall, in consideration of said waivers, offer justification of their decision for the record that addresses special circumstances where strict conformity would cause undue hardship or injustice to the owner and that the general spirit, intent, and purpose of these regulations will not be adversely or substantially



affected or harmed, and that the welfare of the citizens of Moultonborough will be substantially served and not adversely affected.

2. **Submittals.** An accurate rendering or elevation views (to scale) of what the exterior of the structure and surroundings will look like shall be submitted as part of the site plan review application.

## **B. Overall Form and Spatial Relationships**

1. **Overall Form.** Areas of new construction shall be sited so as to best preserve natural vistas and existing topography.

a. In all areas, peripheral greenbelt open space shall be designed to follow the natural features whenever possible and to maintain an agricultural, woodland, or countryside character.

b. The village shall be distinguished from the peripheral, greenbelt open space by a well-defined line or edge so that developed areas will transition very quickly to rural, undeveloped lands.

### **2. Village Expansion Layout**

a. **Overall Layout.** Expansion of the village shall be designed in a pattern of interconnecting streets and alleys, defined by buildings, street furniture, landscaping, pedestrian ways, and sidewalks. The layout should be suited to the existing topography and other natural features of the area to minimize cut-and-fill and grading throughout the site.

b. **Pedestrian Connections.** No less than one eight-foot pedestrian alley or way must be provided for every 250 feet of street frontage in the Small Scale Retail Area, connecting with side or rear parking lots.

c. **Building Orientation.** Houses shall be oriented to maximize passive solar energy, natural shade and windbreaks.

## **C. Street and Sidewalk Network**

1. **Sidewalks.** Sidewalks are required along all road frontages of new development. The width of the sidewalk shall be consistent with the prevailing pattern in the immediate neighborhood, provided that no new sidewalk shall be less than four feet wide.

2. **Curbs.** Where curbing is used, it shall be granite curbing for durability.

3. **Overall Street Layout.** Each development shall have at least two points of entry and egress, and shall be connected to other existing streets to provide for the future extension of the community's street network. Main roads should not cut through the center of the development, but instead should provide access to secondary roads that begin at the periphery of the street layout.

4. **Cul-de-sacs.** Cul-de-sacs are prohibited, unless conducive to a harmonious village pattern due to topographic constraints.

5. **Traffic calming.** In order to calm traffic speeds and to provide for pedestrian safety, the use of "T" intersections, small roundabouts, streetscapes, gateway treatments, medians, narrower travelways, and four-ways stops shall be used.

## **D. Pedestrian and Bicycle Access**

1. **Connections between uses.** Pedestrian and bicycle connections between mixed-use development and residential areas are required.

2. **Bicycle parking.** Small-scale retail areas shall provide areas for parking and locking of bicycles.

#### **E. Streetscape**

1. **Trees.** Any new development must be accompanied by a landscape plan that will address the location, suitability, and species of trees, shrubs, or other plantings within the development. In new developments, appropriate street trees shall be planted every 35 linear feet of street right of way.

2. **Benches and other street furniture.** New developments shall provide benches with seats and backs every 500 feet of street right-of-way in the Small-Scale Retail Area.

3. **Public Space.** Each Small-Scale Retail Area shall contain one or more public spaces such as a green, pocket park, gazebo, or picnic area. These spaces should be designed to encourage community interaction.

4. **Lighting.** Lighting shall be provided in all public spaces within the Small- Scale Retail Area, and at appropriate intervals along the street. Where appropriate, lighting shall be provided in Village Residential Areas as well. All light fixtures shall meet the specifications for full cut-off or cut-off fixtures as defined by the Illumination Engineering Society of North America and as required in the MZO.

#### **F. Architectural Design Standards**

1. **General.** The following architectural design standards shall apply to all new structures, rehabilitation of, or expansions to existing structures.

2. **Buildings: Scale and Style.** Buildings shall generally relate in scale and design features to the surrounding buildings, showing respect for the unique local context of a traditional New Hampshire village. Buildings shall reflect a continuity of treatment obtained by maintaining the building scale or by subtle graduation changes, by maintaining small front setbacks, by continuous use of front porches on residential buildings, by maintaining cornice lines in buildings of the same height, and by extending horizontal lines of fenestration.

3. **Walls and Planes.** Buildings shall avoid long, monotonous uninterrupted walls or roof planes. Offsets including projections, recesses, and changes in floor level shall be used in order to add architectural interest and variety, and to relieve the visual effect of a simple, long wall. Similarly, roof-line offsets shall be provided, in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

4. **Facades Facing Public Streets.** Buildings with more than one façade facing a public street (corner lots) or internal open space shall be required to provide multiple front façade treatments. The architectural treatment of the front façade shall be continued, in its major features, around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors, and details. Bland wall or service area treatment of side and or rear elevations visible from the public viewshed is discouraged.

5. **Roofs.** Gable roofs with a minimum pitch of 9/12 should be used to the greatest extent possible. Where hipped roofs are used, it is recommended that the minimum pitch be 6/12. Both gable and hipped roofs should provide overhanging eaves on all sides that extend a minimum of one foot beyond the building wall. Flat roofs should be avoided on one-story buildings, but may be used on

buildings with a minimum of two stories, provided that all visibly exposed walls shall have an articulated cornice that projects horizontally from the vertical building wall plane.

**6. Windows/Fenestration.** Fenestration shall be architecturally compatible with the style, materials, colors, and details of the building, and appropriate to a rural New Hampshire setting. Windows shall be vertically proportioned wherever possible. To the extent possible, upper story windows shall be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows. Blank, windowless walls are not permitted in either the Small-Scale Retail area or the Residential area.

**7. Entrances.** Main entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, and others, where appropriate. Any such element utilized shall be consistent with the style, materials, colors, and details of the building as a whole, as shall the doors. Awnings are permitted where they complement the building's architectural style.

**8. Light fixtures.** Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors, and details of the building and shall comply with local building codes. The use of low-pressure sodium, tube-fluorescent, or mercury vapor lighting either attached to buildings or to light the exterior of buildings shall be prohibited and must meet the requirements of the Moultonborough Zoning Ordinance.

**9. Lighting.** Streetlights shall be decorative and shall blend with the architectural and historic style of the existing village motif. Along all commercial or mixed-use streets, parking areas, sidewalks, walkways, courtyards, community greens, and interior open spaces, decorative light posts shall be provided at regular intervals. Lighting on residential streets should be confined to intersections, pocket parks, and corners. Small-scale retail areas shall utilize reduced lighting after business hours to conserve energy and to encourage dark, starry skies characteristic of rural areas. Lighting shall be properly shielded to reduce glare for the safety of motorists and must meet the requirements of the Moultonborough Zoning Ordinance.

**10. Air conditioners and other fixtures.** All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements, or landscaping. Individual on-street mailboxes and posts shall not be permitted. Wall-mount mailboxes near front entrances that complement the existing village motif are encouraged.

**12. Fencing.** In no case shall chain-link fencing be permitted. Fencing must be iron rod or wood, and no higher than three feet unless used as screening for trash collection areas.

**13. Fire escapes.** Fire escapes shall not be permitted on a building's front façade.

#### **G. Signs in Small-Scale Retail Areas**

**1. General.** All signs must be consistent with the overall design of the development, and complement the existing village motif, and shall be constructed of wood, granite, painted cast metal, bronze, brass, or other material consistent with the materials used in the building's façade or fixtures. Plastic panel rear-lighted signs are not permitted. Billboards are not permitted. Signs employing mercury vapor, low pressure and high-pressure sodium, neon, and metal halide lighting are not permitted.

**2. Design.** Unique and interesting designs are encouraged in the lettering and graphics of each sign. Signs may be attached to the building and project outward from the wall so long as the sign does not

project outward from the wall to which it is attached more than 12 inches. Projecting signs shall be no larger than four square feet. Projecting signs shall be at least ten feet above the ground. Signs attached to the front façade shall not exceed the dimensions of the façade.

3. **Height.** The maximum permitted height of signs is 15 feet above the front sidewalk or ground elevation, and shall not extend above the base of the second floor windowsill, parapet, eave, or building façade.

4. **Freestanding signs** shall only be permitted where the business is not attached to any other buildings. All freestanding signs shall be no higher than six feet and no wider than six feet, while still meeting the maximum square foot area requirements of Article 5 of the MZO.

5. **Street address numbers** shall be clearly marked in any new development and included in the design of the front façade or signage of individual buildings.

6. **Signs in residential areas.** No signs shall be permitted in the residential area, except one sign no larger than two square feet related to a home occupation.

#### **H. Landscaping**

1. All developments must contain a landscaping plan that lists the location, species, and suitability of plant species to the site.

2. Trees shall be planted at regular intervals no greater than 35 feet to enhance public spaces, open spaces, and streetscapes. A variety of native and non-invasive species shall be used.

3. Low-impact stormwater management designs that treat and recharge runoff on-site are required.

#### **I. Small Scale Retail & Multi-Family Structure Parking**

1. Parking for small-scale retail areas must be on-street or in the side or rear of buildings. No more than five spaces may be located in front of the building.

2. Rear parking areas shall be landscaped with an area of low shrubs or suitable foliage at least ten feet wide between every two rows of spaces. This area shall include a pedestrian walkway at least four feet wide for pedestrian safety. Crosswalks and walkways at regular intervals shall connect this strip to building entrances. Applicants are encouraged to utilize permeable pavement and other low-impact techniques suitable for cold climates for on-site water recharge in parking lot design. See the chapter on Stormwater Management requirements in the MZO for a more comprehensive set of requirements. The location and layout of parking areas is a key spatial aspect in the expansion of the village. Pedestrian safety, storm water management, access management, and aesthetics are primary elements.

3. Landscaped islands must contain curb breaks and utilize ecological engineering methods to allow maximum on-site water recharge and to minimize sheet flow.

### **VIII. REVIEW PROCESS**

**Worksheet.** The Planning Board shall establish a worksheet, outline, or checklist of the pre-application and application procedure to assist applicants with the relevant town ordinances and regulations in the review process and to discuss potential issues concerning the design or feasibility of the site plan, based on town ordinances and regulations.